

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gao, D. *et al.* ) ATTORNEY DOCKET NO.: C-31691 US  
 )  
 SERIAL NO.: 09 451,641 ) GROUP ART UNIT: 1615  
 )  
 FILED: November 30, 1999 ) EXAMINER: S. Tran  
 )  
 TITLE: CELECOXIB COMPOSITIONS  
 )  
 DATE: January 7, 2003

CERTIFICATE OF MAILING

I hereby certify that this communication and its recited enclosures are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on January 7, 2003.

*Susan Gawlik*

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION

Applicant hereby makes petition under 37 C.F.R. § 1.137(b) to revive the above-referenced application, which went unintentionally abandoned in circumstances outlined below. In connection with this petition, please charge \$1300.00 or the sum required under 37 C.F.R. §1.17(m) to Deposit Account No. 19-1025.

An outstanding Office Action in the present application had a due date for response, with petition and fee for three months extension of time, of January 3, 2003. On January 2, 2003, the undersigned prepared a response with the required petition and fee for mailing. A correctly addressed envelope containing the response, duly accompanied by a Certificate of First Class Mailing signed by Susan Gawlik, assistant to the undersigned, was provided to Pharmacia Corporation's contracted mailroom service with the expectation that, as normal, the envelope would be delivered to the United States Postal Service on January 2, 2003. On January 6, 2003, the envelope was returned to the undersigned without having been mailed. The mailroom service has admitted that this was an error on the part of a mailroom employee.

The entire delay in filing the required reply from the due date for the reply until the

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filing of this petition, which Applicant believes is grantable, pursuant to 37 C.F.R. § 1.137(b) was unintentional.

Enclosed herewith is the response as prepared on January 2, 2003, with the exception of the Fee Transmittal form referenced therein. A new Fee Transmittal form including the fee in connection with this petition is attached hereto.

Respectfully submitted,



James C. Forbes  
Agent for Applicant  
Registration No. 39,457  
Tel. (847)581-6090

Address Correspondence to:  
Pharmacia Corporation  
Patent Department  
800 N Lindbergh Boulevard  
St Louis, MO 63017

Attachments  
Fee transmittal form  
Response dated January 2, 2003

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# FEE TRANSMITTAL for FY 2003

Effective 1/1/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ 2,230.00)

## Complete if Known

Application Number 09/451,641  
Filing Date January 7, 2003  
First Named Inventor Gao, D.  
Examiner Name S. Tran  
Art Unit 1615  
Attorney Docket No. C-3169/1/US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit  
Account  
Number  
Deposit  
Account  
Name

19-1025

Pharmacia Corporation

The Commissioner is authorized to: (check all that apply)

- ☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description        | Fee Paid |
|-------------------------------|-------------------------------|------------------------|----------|
| 1001 750                      | 2001 375                      | Utility filing fee     |          |
| 1002 330                      | 2002 165                      | Design filing fee      |          |
| 1003 520                      | 2003 260                      | Plant filing fee       |          |
| 1004 750                      | 2004 375                      | Reissue filing fee     |          |
| 1005 160                      | 2005 80                       | Provisional filing fee |          |

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims       | -20** =      | X              |          |
| Independent Claims | -3** =       | X              |          |
| Multiple Dependent |              |                |          |

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description  |
|-------------------------------|-------------------------------|--|
| 1202 18                       | 2202 9                        | Claims in excess of 20                                     |
| 1201 84                       | 2201 42                       | Independent claims in excess of 3                          |
| 1203 280                      | 2203 140                      | Multiple dependent claim, if not paid                      |
| 1204 84                       | 2204 42                       | ** Reissue independent claims over original patent         |
| 1205 18                       | 2205 9                        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description  | Fee Paid |
|---------------|---------------|--|----------|
| 1051 130      | 2051 65       | Surcharge - late filing fee or oath  |          |
| 1052 50       | 2052 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130      | 1053 130      | Non-English specification  |          |
| 1812 2,520    | 1812 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804 920*     | 1804 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*   | 1805 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251 110      | 2251 55       | Extension for reply within first month                                     |          |
| 1252 410      | 2252 205      | Extension for reply within second month                                    |          |
| 1253 930      | 2253 465      | Extension for reply within third month                                     | 930.00   |
| 1254 1,450    | 2254 725      | Extension for reply within fourth month                                    |          |
| 1255 1,970    | 2255 985      | Extension for reply within fifth month                                     |          |
| 1401 320      | 2401 160      | Notice of Appeal   |          |
| 1402 320      | 2402 160      | Filing a brief in support of an appeal                                     |          |
| 1403 280      | 2403 140      | Request for oral hearing   |          |
| 1451 1,510    | 1451 1,510    | Petition to institute a public use proceeding                              |          |
| 1452 110      | 2452 55       | Petition to revive - unavoidable   |          |
| 1453 1,300    | 2453 650      | Petition to revive - unintentional   | 1300.00  |
| 1501 1,300    | 2501 650      | Utility issue fee (or reissue)   |          |
| 1502 470      | 2502 235      | Design issue fee   |          |
| 1503 630      | 2503 315      | Plant issue fee  |          |
| 1460 130      | 1460 130      | Petitions to the Commissioner  |          |
| 1807 50       | 1807 50       | Processing fee under 37 CFR 1.17(iq)                                       |          |
| 1806 180      | 1806 180      | Submission of Information Disclosure Sheet                                 |          |
| 8021 40       | 8021 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809 750      | 2809 375      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 750      | 2810 375      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 750      | 2801 375      | Request for Continued Examination (RCE)                                    |          |
| 1802 900      | 1802 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 2,230.00)

## SUBMITTED BY

|                   |                        |                                   |                 |           |              |
|-------------------|------------------------|-----------------------------------|-----------------|-----------|--------------|
| Name (Print Type) | James C. Forbes        | Registration No. (Attorney/Agent) | 3,457           | Telephone | 847-581-6090 |
| Signature         | <i>James C. Forbes</i> | Date                              | January 7, 2003 |           |              |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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